

0018



STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

*File*

Norman H. Bangerter, Governor  
Dee C. Hansen, Executive Director  
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

September 11, 1985

CERTIFIED RETURN RECEIPT REQUESTED  
P 402 457 720

Mr. Keith Zobell  
Utah Fuel Company  
P. O. Box 719  
Helper, Utah 84526

Dear Mr. Zobell:

RE: Finalized Assessment for State Violation No. N84-2-24-3  
ACT/007/005, Catalog # 8, Carbon County, Utah

The civil penalty for the above referenced violation has been finalized. This assessment has been finalized as a result of a review of all pertinent data and facts which were not available on the date of the proposed assessment, due to the length of the abatement period.

Within fifteen (15) days of your receipt of this letter, you or your agent may make a written appeal to the Board of Oil, Gas and Mining. To do so, you must have escrowed the assessed civil penalty with the Division within a maximum of 30 days of receipt of this letter, but in all cases prior to the Board Hearing. Failure to comply with this requirement will result in a waiver of your right of further recourse.

If no timely appeal is made, this assessed civil penalty must be tendered within thirty (30) days of your receipt of this letter. Please remit payment to the Division and mail % Jan Brown at the above address.

Thank you for your cooperation.

Sincerely,

*for Dianne R. Nielson*  
for Constance K. Lundberg  
Assessment Officer

re

cc: Donna Griffin, OSM Albuquerque Field Office  
B. Roberts, Attorney Generals Office  
9099Q

ASSESSMENT CONFERENCE REPORT  
 Utah Division of Oil, Gas & Mining  
 4241 State Office Building  
 Salt Lake City, Utah 84114

NOV/CO No. N84-2-24-3

Location of Conference: Salt Lake City

Date of Conference: August 10, 1985

Company Name/Mine Name: Utah Fuel Company/Skyline Mine

Persons in Attendance

Representing

Constance K. Lundberg	Assessment Conference Officer DOGM
Clayton Parr	Attorney, Utah Fuel Company
Keith Welch	Environmental Coordinator CSEC
Glen Zumwalt	Vice President, Utah Fuel Company
Keith Zobell	Environmental Engineer Utah Fuel Co
Michael Later	Attorney, Utah Fuel Company
Doug Johnson	Chief Engineer, Utah Fuel Company
Sandy Pruitt	Mining Field Specialist, DOGM
Joe Helfrich	Mining Field Supervisor, DOGM
Holland Shepherd	Mining Field Specialist, DOGM
Rick Summers	Hydrologist, DOGM
Barbara Roberts	Attorney, DOGM

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u># 2 of 3</u>	<u>\$ 0</u>
<u># 2 of 3</u>	<u>0</u>
<u>TOTAL</u>	<u>\$ 0</u>

Approved: Constance K. Lundberg  
 (Signature of Conference Officer)

Date: August 26, 1985

ASSESSMENT CONFERENCE REPORT  
(continued)

1. Notice of Violation/Cessation Order No. N84-2-24-3

Permit # ACT/007/005

Violation 3 of 3

(a) Nature of violation: Monitoring for wrong parameters under NPDES permit.

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio.	<u>1</u>	<u>          </u>
(b) Seriousness		
(1) Probability of Occurrence	<u>          </u>	<u>          </u>
Extent of Damage	<u>          </u>	<u>          </u>
(2) Obstr. to Enforcement	<u>14</u>	<u>          </u>
(c) Negligence	<u>2</u>	<u>          </u>
(d) Good Faith	<u>0</u>	<u>          </u>
TOTAL	<u>17</u>	<u>0</u>
	TOTAL ASSESSED FINE	<u>\$ 0</u>

3. Narrative:  
(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

Violation vacated because Utah Fuel Company monitored in compliance with instructions of the Utah Division of Environmental Health.

0013Q

ASSESSMENT CONFERENCE REPORT  
(continued)1. Notice of Violation/Cessation Order No. N84-2-24-3Permit # ACT/007/005Violation 2 of 3(a) Nature of violation: Violation of permit requirements regarding sedimentation pond.

	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
2. Conference Result		
(a) History/Prev. Vio.	<u>1</u>	<u>0</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>          </u>	<u>          </u>
Extent of Damage	<u>          </u>	<u>          </u>
(2) Obstr. to Enforcement	<u>16</u>	<u>0</u>
(c) Negligence	<u>0</u>	<u>0</u>
(d) Good Faith	<u>          </u>	<u>          </u>
TOTAL	<u>17</u>	<u>0</u>
	TOTAL ASSESSED FINE	<u>\$ 0</u>

## 3. Narrative:

(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

Violation left in place because Company should know permit modifications are required for modifications of operations. Fine reduced to \$00.00 because a previous NOV for the same violation was terminated by enforcement staff, which could lead company into believing they had complied. 0013Q